

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

U.S. DISTRICT COURT  
DISTRICT OF VERMONT  
FILED

2025 MAY 12 PM 1:43

MATTHEW HILL and ONE TREE, LLC,

Plaintiff,

v.

ONE TREE PLANTED, INC.,

Defendant.

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Case No. 2:24-cv-547

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**REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE (LETTERS ROGATORY)**

To the Appropriate Judicial Authority of Canada, Province of Quebec:

The U.S. District Court for the District of Vermont requests international judicial assistance to obtain the deposition of three of your citizens to be used in a civil proceeding before this court in the above captioned matter.

This court requests the assistance described herein as necessary in the interests of justice. The assistance requested is that the appropriate judicial authority of Quebec, Canada compel the appearance of the below named individuals to give testimony.

Ian Boler, Canadian  
127 Fieldfare, Beaconsfield, Quebec H9W 4X3

William Russell, Canadian  
4629 Avenue Royal, Montreal, Quebec H4A 2M9

Mark Capombassis, Canadian  
311 Rue Stain-Ferdinand, Montreal, Quebec H4C 2S6

**FACTS**

Plaintiff Matthew Hill is the founder and former CEO, President and Board member of Defendant One Tree Planted (“OTP”). Plaintiff was terminated by OTP and claims that an agreement between the parties governs the terms of his severance and ownership and use of certain intellectual

property (“Agreement”). OTP disputes the validity of the Agreement and filed counterclaims based on allegations of malfeasance by Hill while at the helm of OTP.

Messrs. Booler, Russell, and Capombassis are important fact witnesses that likely have substantive information related to the Agreement and the claims alleged by the parties. Mr. Booler was a member of the OTP Board of Directors and served as its Secretary during the time period that Plaintiff Matthew Hill was CEO, on the Board of OTP, and when the Agreement was created, negotiated, and signed. Mr. Russell was a member of the OTP Board of Directors during the period that Plaintiff Matthew Hill was CEO, on the Board of OTP, and when the Agreement was created, negotiated, and signed. In addition, Mr. Russell purportedly signed the Agreement at issue. Mr. Capombassis was also a member of the OTP Board of Directors during the time period that Plaintiff Matthew Hill was CEO, on the Board of OTP, and when the Agreement was created, negotiated, and signed. Without a deposition, their knowledge, understanding, and intentions are unobtainable.

Through this case, Plaintiffs seek to establish contract validity and trademark ownership and prevent Defendants’ purported breach of contract. Defendant contends that the Agreement is not valid and challenges Plaintiffs’ asserted ownership of the trademarks. Further, Defendants asserted a number of counterclaims against Plaintiff. The parties do not assert these claims against Messrs. Booler, Russell, or Capombasis. The deposition questions will be focused on Messrs. Booler, Russell, and Capombassis’ involvement with OTP and therefore, will be reasonably specific. The parties anticipate that the depositions will require one day each for each witness and will pose a minimal burden as a result.

The parties request that Messrs. Booler, Russell and Capombassis give testimony, in person in Montreal, Quebec, Canada at a location agreed upon by the parties, or by remote means, or at the time and place as ordered by the appropriate judicial authority in Quebec, under oath, in the presence of a court reporter who will generate a verbatim transcript. Messrs. Booler, Russell, and Capombassis may retain counsel to participate on their behalf in the deposition process.

**RECIPROCITY**

In the furtherance of justice and by the proper and usual process of this court, the U.S. District Court for the District of Vermont assures the judicial authorities of Quebec, Canada that it is willing to provide similar cooperation and assistance to the judicial authorities of Canada in the event that it requests similar assistance.

**REIMBURSEMENT FOR COSTS**

The parties are willing to reimburse the judicial authority of Quebec, Canada for its costs incurred in the execution of this Court's Letters Rogatory, up to the prescribed fee amount in 22 CFR 22.1. The U.S. District Court for the District of Vermont requests to be contacted if the amount to execute this Letters Rogatory will be more than the prescribed fee amount in 22 CFR 22.1. The contact information for the party submitting the payment is as follows:

Attorneys for Matt Hill and One Tree LLC  
Gary Franklin, Esq.  
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Attorneys for Matt Hill and One Tree LLC  
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Facsimile: (802) 864-0137  
lshelkrot@langrock.com

Dated at Burlington, in the District of Vermont, this 12<sup>th</sup> day of May, 2025.

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/s/ Geoffrey W. Crawford  
District Judge, U.S. District Court